



Order Filed on April 3, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-2(c) MINION & SHERMAN By: Stuart D. Minion, Esq. – ID#039741991 33 Clinton Road, Suite 105 West Caldwell, New Jersey 07006 (973) 882-2424
SHARON TRUFFIN, Debtor

Case No.: 19-23622 JKS

Chapter 13

Hearing Date: 3/26/2020

Judge: John K. Sherwood

Recommended Local Form has been modified

ORDER AUTHORIZING SALE OF REAL PROPERTY

The relief set forth on the following pages, numbered Two (2) through Three (3) is hereby **ORDERED**.

DATED: April 3, 2020



Honorable John K. Sherwood
United States Bankruptcy Court

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Debtor: Sharon Truffin

Case No: 19-23622 JKS

Caption of Order: ORDER AUTHORIZING SALE OF REAL PROPERTY

1. The Debtor is authorized to sell the Real Property, located at 8 Meadow Lane, Roseland, New Jersey 07068, upon the terms and conditions of the Contract for Sale for \$850,000.00 to 5 Staff, LLC pursuant to [11 U.S.C. §§ 363\(b\)](#) and [1303](#).

2. The proceeds of sale shall be applied to pay, in full at closing, the first mortgage on the real property which is held by Bayview Funding pursuant to a payoff statement issued in the normal course.

3. Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate counsel and broker's commissions, if said counsel and broker have not already been approved by this court. If said counsel and/or broker have been approved by this court in advance of the sale, the counsel and broker shall be paid at closing in the normal course.

4. Other normal and ordinary closing fees and adjustments including realty transfer taxes payable by the Debtor and non-filing co-owner may be satisfied from the proceeds of sale in the normal course. This includes any liens against non-filing co-owner.

5. A copy of the HUD/CD/Alta settlement statement shall be forwarded to the Chapter 13 Standing Trustee five days after closing.

6. Other provisions:

A. Debtor's counsel is hereby allowed a legal fee of \$1,000.00 for the representation of the Debtors in connection with this motion.

B. 50% of the net proceeds after payment of all mortgages and the aforementioned closing costs shall be distributed to the non-debtor spouse, Carlos Truffin.

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Debtor: SHARON TRUFFIN

Case No: 19-23622 JKS

Caption of Order: **ORDER AUTHORIZING SALE OF REAL PROPERTY**

C. 50% of the net proceeds after payment of all mortgages and the aforementioned closing costs, representing Debtor's share shall be distributed as follows:

1. The balance of Debtor's share shall be paid to Marie-Ann Greenberg, Chapter 13 Standing Trustee, to be distributed in accordance with debtor's Chapter 13 plan or in the alternative the Debtor shall pay the amount necessary to pay off the debtor's chapter 13 plan.

D. If necessary, Debtor shall file a Modified Chapter 13 Plan within 30 days from the date of closing.

E. The 14 day stay of Bankruptcy Rule 6004(h) is waived.

7. The sale must be completed within one-hundred twenty (120) days of the entry of this Order.